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PATENT AND TRADEMARK OFFICE

APPLICANT: Mark C. Pace & Thomas W. Cook
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EXAMINER: Scott E. Jones
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Dated: October 10, 2003

By:

Robert A. Hulse, Reg. No. 48,473

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BOX 1450
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SUBMISSION IN SUPPORT OF REQUEST FOR CONTINUEDEXAMINATION UNDER 37 C.F.R. § 1.114

Sir:

These remarks are made in support of the Request for Continued Examination, filed herewith, and are also in response to the final Office Action mailed July 11, 2003. In that Office Action, all pending claims were rejected under 35 U.S.C. § 103 as unpatentable over Patterson in view of Boushy. On the basis of the remarks below, Applicants respectfully traverse this rejection. In addition, Applicants thank the examiner for conducting a brief telephone discussion

on October 6, 2003, during which this obviousness rejection and the points presented below were discussed.

The claimed invention is directed to automating the servicing of customers at service locations. For example, claim 1 recites a system that selects a primary service attendant to provide service for a customer at a service location. The system then communicates a message to the selected primary service attendant, where "the message indicat[es] the service location at which the event is to be serviced."

The proposed combination of Patterson and Boushy does not disclose or suggest each and every limitation in the pending claims. In particular, the combination of Patterson and Boushy would not send messages to service attendants that indicate a service location where an event is to be serviced.

Patterson describes a system for transferring market orders and quote requests to a floor broker on the floor of a financial exchange. This system includes a messaging system that transmits messages to brokers on the floor of a financial exchange. The examiner has agreed in the latest Office Action and in the telephone discussion that Patterson's these messages do not indicate the service location at which the event is to be serviced.

Similarly, Boushy's contribution also fails to disclose or suggest communicating a message to a selected service attendant that indicates the service location at which an event is to be serviced. In Boushy, customers are given access to various physical instrumentalities (such as a telephone, a light, or a lockable cabinet) based on a determination of their customer worth. This is substantively different from the present invention, which selects a specific service attendant and orders that attendant to give service to a specific service location.

In the previous Office Action, the examiner cited a portion Boushy that describes how the system differentiates valuable customers:

For example, when a valuable customer is recognized at a slot machine, a highly visible light on top of the slot machine may be activated, ***thereby alerting both casino employees and other customers that this valuable customer is present***. Differentiation of the customer in this manner also enables the casino to provide distinguished services to the customer, such as improved food and beverage services, and slot change or slot fill services.

(Boushy, col. 3, lines 13-20.) As this passage explains, the light on top of the slot machine is activated when a valuable customer inserts their card at the slot machine. Boushy's light turns on when a valuable customer sits at a slot machine, and it turns off when the customer leaves. Importantly, the operation of the light does not depend on whether there is an event that needs to be serviced at the slot machine. Unlike the present invention that communicates a message to a selected service attendant that indicates the location of an event to be serviced, Boushy's light merely indicates to any service attendant who happens to see it that the person sitting at the slot machine is a valuable customer. Accordingly, Boushy's light serves a fundamentally different purpose than the claimed invention. Whereas the invention tells a selected service attendant to service a specific event, Boushy's light simply identifies an important person.

For the reasons outlined above, the proposed application of Patterson's messaging system implemented in Boushy do not include each and every limitation of the claims. Specifically, such a combination would not communicate messages to service attendants that indicate a service location where an event is to be serviced.

Moreover, Boushy's fundamentally different purpose also explains why there would be no motivation to combine Boushy and Patterson in the manner suggested in the Office Action. Boushy's light identifies a valuable customer during the time the customer is at a gaming machine. This light does not communicate a specific, discrete event that needs to be serviced.

Therefore, there would be no motivation to replace that light with Patterson's pager system, because the pager system would not serve that Boushy's purpose.

It is therefore believed that the application is in condition for allowance of all claims, and therefore an early Notice of Allowance is respectfully requested. If the Examiner believes that for any reason direct contact with Applicants' representative would help advance the prosecution of this case to allowance, the Examiner is encouraged to telephone the undersigned at the number given below.

Respectfully submitted,

MARK C. PACE & THOMAS W. COOK

Dated: October 10, 2003

By: 

Robert A. Hulse, Reg. No. 48,473
Attorney for Applicant
Fenwick & West LLP
801 California Street
Mountain View, CA 94041
Tel.: (415) 875-2444
Fax: (415) 281-1350